

**63G-12-210. Verification of valid permit -- Protected status of information.**

(1) (a) The department shall develop a verification procedure by rule made in accordance with Chapter 3, Utah Administrative Rulemaking Act, for a person who hires a permit holder to verify with the department that the permit is valid as required by Section 63G-12-301.

(b) The verification procedure adopted under this Subsection (1) shall:

(i) be substantially similar to the employer requirements to verify federal employment status under the e-verify program; and

(ii) provide that an undocumented individual may appeal a determination that a permit is invalid in accordance with Chapter 4, Administrative Procedures Act.

(2) Subject to Section 63G-12-212, a record under this part is a protected record under Chapter 2, Government Records Access and Management Act, except that a record may not be shared under Section 63G-2-206, unless:

(a) requested by the Office of Legislative Auditor General in accordance with Section 36-12-15;

(b) disclosed to the State Tax Commission as provided in Subsection 63G-12-203(2)(e)(vi); or

(c) disclosed to a federal government entity in accordance with this part or a waiver, exemption, or authorization described in Section 63G-12-202.

(3) The state is not liable to any person for:

(a) the design, implementation, or operation of a verification procedure under this part;

(b) the collection and disclosure of information as part of a verification procedure under this part; or

(c) the determination that a permit is invalid.

Enacted by Chapter 18, 2011 General Session